APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,690	02/18/2004	Tsuyoshi Kuroki	00862.023465.	8951

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EXAMINER
PONIKIEWSKI, TOMASZ

ART UNIT	PAPER NUMBER
2165	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/779,690	KUROKI, TSUYOSHI
	Examiner	Art Unit	
	Tomasz Ponikiewski	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>6-7-2007</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,2,4-6,8,10,11 and 13* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,2,4-6,8,10,11 and 13* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☒ All b) ☐ Some * c) ☐ None of:

   1. ☒ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6-7-

2007 has been entered.

2.   The amendment filed on 6-7-2007 has been received and entered. Claims 1-2,

4-6, 8, 10-11 and 13 are pending.

3.   Applicant's Amendment has overcome the previous rejections under 112.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

5.   Claims 1-2, 4-6, 8, 10-11 and 13 are rejected under 35 U.S.C. 102(e) as being

anticipated by <u>Stanley et al.</u> (US 2002/0156756 A1).

        As per claims 1, 8 and 10 <u>Stanley et al.</u> is directed to an information processing

method, a computer-readable storage medium in an information processing apparatus,

an information processing apparatus and a management information processing

apparatus which generates an object in a three-dimensional virtual space and is

connected to another information processing apparatus through a network to share the

three-dimensional virtual space, the method comprising:

        an acquisition step of acquiring unique information from said another the

other information processing apparatus, wherein the unique information uniquely

identifies the information processing apparatus on the network (paragraph 0037, lines 5-

10);

        an object generation step of generating an object in the three-dimensional

virtual space (paragraph 0037, lines 5-10);

        an identification information generation step of generating identification

information of art the object generated in said object generation step based on the

unique information, of the information processing apparatus (paragraph 0037); and

        a transmitting step of transmitting, the identification information with object

information necessary for causing said another information processing apparatus to

generate the object in the three-dimensional virtual space presented by said another

information processing apparatus, to said another information processing

apparatus through the network (paragraph 0037, lines 5-10; "for causing" presents an intended use).

As per claim 2 <u>Stanley et al.</u> is directed to wherein said another information processing apparatus, from which the unique information is acquired, is a management information processing apparatus which manages the unique information of all information processing apparatuses that share the three-dimensional virtual space (paragraph 0087, lines 1-5; paragraph 0110, lines 1-7).

As per claim 4 <u>Stanley et al.</u> is directed to further comprising:

a reception step of receiving the unique information with the object information relating to the object processed by the another information processing apparatus (paragraph 0114), and

an object processing step of executing a process, based on the object information received in the reception step, to the object corresponding to the unique information in the three-dimensional virtual space presented by the information processing apparatus (paragraph 0115).

As per claim 5 <u>Stanley et al.</u> is directed to an information processing method in a management information processing apparatus, the management information apparatus managing information processing apparatuses which share a three-dimensional virtual space, the method comprising:

a unique information determining step of determining unique information for each

of the information processing apparatuses, wherein the unique information is different

from each other (paragraph 0037, lines 5-10; paragraph 0084, lines 5-9);

a sending step of sending the unique information determined in the determining

step for each of the information processing apparatus to the corresponding one of the

information processing apparatuses (paragraph 0086); and

a receiving step of receiving object information relating to an object processed in

the three-dimensional virtual space presented by one of the information processing

apparatuses, with identification information including the sent unique information that

has been sent in the sending step, by the information processing apparatus from which

the object information is sent (paragraph 0110, lines 1-8).

As per claim 6 <u>Stanley et al</u> is directed to further comprising an object processing

step of executing a process, based on the object information received by the receiving

step, to the object corresponding to the unique information included in the received

object information (paragraph 0114, lines 7-14).

As per claim 11 <u>Stanley et al.</u> is directed to a management information

processing apparatus which share a three-dimensional virtual space, the management

information processing apparatus comprising:

a unique information determination unit that determines unique information for

each of the information processing apparatuses, wherein the unique information is

different from each other (paragraph 0037, lines 5-10; paragraph 0084, lines 5-9);

a sending unit that sends each of the unique information determined by the

determination unit for each of the information processing apparatus to the

corresponding one of the information processing apparatuses (paragraph 0086); and

a receiving unit that receives information relating to an object

processed in the three-dimensional virtual space presented by one of the information

processing apparatuses, with identification information including the unique information

that has been sent in the sending step, by the information processing apparatus from

which the object information is sent (paragraph 0110, lines 1-8).

As per claim 13 <u>Stanley et al.</u> is directed to an information processing system

comprising:

a plurality of information processing apparatuses connected through a

network to share a three-dimensional virtual space, each of the information processing

apparatuses comprising (paragraph 0036, lines 11-12):

an acquisition unit that acquires unique information from a management

information processing apparatus connected through the network, wherein the unique

information uniquely identifies the information processing apparatuses on the network

(paragraph 0037, lines 5-10);

an object generation unit that generates an object in the three-dimensional

virtual space (paragraph 0037, lines 5-10);

an identification information generation unit that generates identification

information of the object generated by said object generation unit based on the unique

information processing apparatus (paragraph 0037, lines 5-10); and

a transmitting unit that transmits the identification information with object

information necessary for causing another information processing apparatus to

generate the object in the three-dimensional virtual space presented by said another

information processing apparatus, to said management information processing

apparatus through the network (paragraph 0037, lines 5-10; "for causing" presents an

intended use); and

the management information processing apparatus managing the plurality of

information processing apparatuses, the management information processing apparatus

comprising (paragraph 0113, lines 4-5);

a unique information determination unit that determines unique information for

each of the plurality of information processing apparatuses (paragraph 0037, lines 5-10;

paragraph 0084, lines 5-9);

a sending unit that sends each of the unique information determined by the

determination unit for each of the information processing apparatus to the

corresponding one of the information processing apparatuses (paragraph 0086); and

a receiving unit that receives the object information relating to the object

processed in the three-dimensional virtual space presented by each of the plurality of

information processing apparatuses, with the identification information (paragraph 0110,

lines 1-8).

Response to Arguments

6.   Applicant's arguments with respect to claim1-2, 4-6, 8, 10-11 and 13 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

        Iwamoto et al. (US 2003/0110156 A1) teaches information collecting.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tomasz Ponikiewski whose telephone number is

(571)272-1721. The examiner can normally be reached on 8:00-4:30.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey A. Gaffin can be reached on (571)272-4146. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski
July 12, 2007

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